

REMARKS

Claims 1-9, 11-15, 17-18, 21-22, 24-26, 32-34, and 41 are currently pending in the application. Claims 42-44 have been canceled. Claims 1, 32, and 41 have been amended. Applicant respectfully submits that no new matter has been added. Applicant respectfully request reconsideration of the application in view of the foregoing amendments and the following remarks.

Claims 1-9, 11-15, 17-18, 21-22, 24-26, 32-34, and 41-44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,913,052 to Beatty et al. ("Beatty") in view of U.S. Patent No. 6,144,962 to Weinberg et al. ("Weinberg").

Applicant respectfully submits that the cited combination of Beatty and Weinberg fails to teach, suggest, or render obvious at least one of the distinguishing features of independent claim 1, wherein a visualizer is utilized for visualizing an underlying architecture of a software system during conceptual, development and deployment phases of the software system. In addition, the cited combination of Beatty and Weinberg fails to teach, suggest, or render obvious wherein the step of visualizing during the conceptual phase of the system is performed by the visualizer operating in a direct interaction simulation mode before the underlying architecture has been implemented in the development and deployment phases. Furthermore, the cited combination of Beatty and Weinberg fails to teach, suggest, or render obvious wherein the step of visualizing during the development phase of the system is performed by the visualizer operating in a prototype simulation mode and wherein the step of visualizing during the deployment phase of the system is performed by the visualizer operating in an architecture monitor mode.

Beatty discloses a system and method for debugging software to control a digital signal processor (DSP) and a general purpose computer employing either the system or the method. Beatty further discloses controlling a real DSP or an emulated DSP. Beatty discloses an architecture database, storable on a storage device of the general purpose computer that contains a plurality of user-selectable architectures corresponding to a plurality of DSPs, the system thereby allowing the user to select a particular DSP from the database. Beatty allows the user to develop DSP software for a DSP that has not yet been produced.

Weinberg discloses a visual WEB site analysis program. The program is implemented as a collection of software components for providing a variety of features for facilitating an analysis and management of Web sites and Web site content.

In contrast to claim 1, Beatty discloses developing DSP software for a real DSP (DSP that exists) or an emulated DSP (DSP that does not exist). According to Beatty, regardless of whether the DSP is real or emulated, the software is developed to control the DSP. The idea of developing DSP software for the emulated DSP allows the user to be able to develop DSP software for a DSP that has not yet been produced. Beatty discloses developing DSP software for a real DSP or an emulated DSP and not visualizing an underlying architecture of a software system during conceptual, development and deployment phases of the software system. Weinberg fails to remedy the deficiencies of Beatty in that Weinberg also does not teach, suggest, or render obvious visualizing an underlying architecture of a software system during conceptual, development and deployment phases of the software system.

In addition, Beatty fails to teach, suggest, or render obvious the step of visualizing during the conceptual phase of the software system is performed by the visualizer in a direct interaction simulation mode. In addition, Beatty fails to teach, suggest, or render obvious the steps of visualizing during the development and deployment phases of the software system are performed in a prototype simulation mode and an architecture monitor mode, respectively. In contrast to claim 1, Beatty teaches a system with one mode, i.e., a debugging mode. Weinberg fails to remedy the deficiencies of Beatty noted above. Applicant respectfully submits that independent claim 1 distinguishes over the cited combination of Beatty and Weinberg. Withdrawal of the rejection of independent claim 1 is respectfully requested.

Dependent claims 2-9 and 11-15 depend from and further restrict independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claims 2-9 and 11-15 distinguish over Beatty in view of Weinberg and are in condition for allowance. Withdrawal of the rejection of dependent claims 2-9 and 11-15 is respectfully requested.

Independent claim 32 relates to a computer-readable medium. Applicant respectfully submits that the cited combination of Beatty and Weinberg fails to teach, suggest, or render obvious at least one of the distinguishing features of independent claim 32, wherein a visualizer is utilized for visualizing an underlying architecture of a software system during conceptual, development and deployment phases of the software system. In addition, the cited combination of Beatty and Weinberg fails to teach, suggest, or render obvious wherein the step of visualizing during the conceptual phase of the system is performed by the visualizer operating in a direct interaction simulation mode before the underlying architecture has been implemented in the development and deployment phases. Furthermore, the cited combination of Beatty and Weinberg fails to teach, suggest, or render obvious wherein the step of visualizing during the development phase of the system is performed by the visualizer operating in a prototype simulation mode and wherein the step of visualizing during the deployment phase of the system is performed by the visualizer operating in an architecture monitor mode.

In contrast to claim 32, Beatty discloses developing DSP software for a real DSP (DSP that exists) or an emulated DSP (DSP that does not exist) and not visualizing an underlying architecture of a software system during conceptual, development and deployment phases of the software system. Weinberg fails to remedy the deficiencies of Beatty in that Weinberg also does not teach, suggest, or render obvious visualizing an underlying architecture of a software system during conceptual, development and deployment phases of the software system.

In addition, Beatty fails to teach, suggest, or render obvious the step of visualizing during the conceptual phase of the software system is performed by the visualizer in a direct interaction simulation mode. In addition, Beatty fails to teach, suggest, or render obvious the steps of visualizing during the development and deployment phases of the software system are performed in a prototype simulation mode and an architecture monitor mode, respectively. In contrast to claim 32, Beatty teaches a system with one mode, i.e., a debugging mode. Weinberg fails to remedy the deficiencies of Beatty noted above. Applicant respectfully submits that independent claim 32 distinguishes over the cited combination of Beatty and Weinberg. Withdrawal of the rejection of independent claim 32 is respectfully requested.

Dependent claims 33-34 depend from and further restrict independent claim 32 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 32, dependent claims 33-34 distinguish over Beatty in view of Weinberg and are in condition for allowance. Withdrawal of the rejection of dependent claims 33-34 is respectfully requested.

Independent claim 41 relates to an application service provider (ASP) system for visualizing an architecture of another distinct system. Applicant respectfully submits that the cited combination of Beatty and Weinberg fails to teach, suggest, or render obvious at least one of the distinguishing features of independent claim 41, wherein a visualizer is utilized for visualizing an underlying architecture of a system during conceptual, development and deployment phases of the system. In addition, the cited combination of Beatty and Weinberg fails to teach, suggest, or render obvious wherein the step of visualizing during the conceptual phase of the system is performed by the visualizer operating in a direct interaction simulation mode before the architecture has been implemented in the development and deployment phases. Furthermore, the cited combination of Beatty and Weinberg fails to teach, suggest, or render obvious wherein the step of visualizing during the development phase of the system is performed by the visualizer operating in a prototype simulation mode and wherein the step of visualizing during the deployment phase of the system is performed by the visualizer operating in an architecture monitor mode.

In contrast to claim 41, Beatty discloses developing DSP software for a real DSP (DSP that exists) or an emulated DSP (DSP that does not exist) and not visualizing an underlying architecture of a system during conceptual, development and deployment phases of the software system. Weinberg fails to remedy the deficiencies of Beatty in that Weinberg also does not teach, suggest, or render obvious visualizing an underlying architecture of a system during conceptual, development and deployment phases of the system.

In addition, Beatty fails to teach, suggest, or render obvious the step of visualizing during the conceptual phase of the system is performed by the visualizer in a direct interaction simulation mode. In addition, Beatty fails to teach, suggest, or render obvious the steps of visualizing during the development and deployment phases of the system are performed in a prototype simulation mode and an architecture monitor mode, respectively. In contrast to claim

41, Beatty teaches a system with one mode, i.e., a debugging mode. Weinberg fails to remedy the deficiencies of Beatty noted above. Applicant respectfully submits that independent claim 41 distinguishes over the cited combination of Beatty and Weinberg. Withdrawal of the rejection of independent claim 41 is respectfully requested.

In addition, neither Beatty nor Weinberg teach a system for visualizing an architecture of *another distinct system*. Instead, Beatty teaches debugging a Digital Signal Processor (DSP) of a computer running the simulation. See Beatty, Figure 1 and col. 4, line 54 - col. 5, line 11. Similarly, Weinberg teaches mapping a web site to analyze content and links to URLs and therefore Weinberg does not teach visualizing an architecture of another distinct system. Withdrawal of the rejection of claim 41 as being unpatentable over Beatty and Weinberg is respectfully requested for this additional reason.

Dependent claims 17-18, 21-22, and 24-26 depend from and further restrict independent claim 41 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 41, dependent claims 17-18, 21-22, and 24-26 distinguish over Beatty in view of Weinberg and are in condition for allowance. Withdrawal of the rejection of dependent claims 17-18, 21-22, and 24-26 is respectfully requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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